

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 4-18, and 20 are presently active in this case. The foregoing amendment amends Claims 1, 4, 5, 6, 13, and 17, and cancels Claims 2, 3, and 19. Support for the amendments can be found, for example, in Figures 3, 5 and 15. No new matter is added.

In the outstanding Office Action, the drawings were objected to for minor informalities; Claims 13 and 17 were objected to for minor informalities; Claims 1-3 were rejected under 35 U.S.C. § 102(b) as anticipated by Sato (Japanese Patent No. 2002-169439, hereafter “Sato”); Claims 6, 7, 16, 17, 19 and 20 were rejected under 35 U.S.C. § 102(e) as anticipated by Sameshima et al. (U.S. Patent No. 6,493,528, hereafter “Sameshima”); Claim 4 was rejected under 35 U.S.C. § 103(a) as obvious over Sato in view of Iizuka (Japanese Patent No. 07-261620, hereafter “Iizuka”); Claim 5 was rejected under 35 U.S.C. § 103(a) as obvious over Sato in view of Kimura et al. (Japanese Patent No. 11-003015, hereafter “Kimura”); Claims 8-11 and 14 were rejected under 35 U.S.C. § 103(a) as obvious over Sameshima in view of Honobe et al. (Japanese Patent No. 2002-148884, hereafter “Honobe”); Claims 6-13, 15-17, 19, and 20 were rejected under 35 U.S.C. § 103(a) as obvious over Okawa et al. (Japanese Patent No. 11-095519, hereafter “Okawa”) in view of Shimotoso et al. (Japanese Patent No. 2001-296712, hereafter “Shimotoso”) and Sameshima.

At the outset, Applicants note with appreciation the courtesy of a personal interview extended by Primary Examiner Sophia Chen to Applicants’ representatives. The personal interview was conducted on February 9, 2005. During the interview the presently submitted claim amendments were discussed as clarifying the claims over the applied art.

Regarding the objection to the drawings, the specification is amended to include descriptions of reference numbers 13Y, 13C, 13M, 14Y, 14C, and 14M. Additionally, a

replacement drawing sheet is submitted with replacement Figs. 17. Replacement Fig. 17 contains the legend “Background Art.” The outstanding Office Action also objected to the drawings as not depicting the features of Claim 19. As Claim 19 is cancelled, Applicants respectfully submit that this objection is moot. Therefore, Applicants respectfully request withdrawal of the objections to the drawings.

Regarding the rejection of Claims 1-3 under 35 U.S.C. § 102(b) as anticipated by Sato, that rejection is traversed by the present response.

As Claims 2 and 3 are canceled, Applicants respectfully submit that the rejection of these claims is moot. Regarding the rejection of Claim 1, amended Claim 1 recites, in part, “a toner container configured to accumulate the toner collected by the cleaning unit, wherein the toner container is integrally formed with the frame cover such that the frame cover comprises at least one side of the toner container.”

In contrast, Sato does not disclose a frame cover integrally formed with and including at least one side of the toner container. Rather, as discussed in the personal interview, Sato describes a toner container that is separate and completely detachable from the cover.¹ In fact, Sato describes the waste toner container as a bottle. As discussed in the personal interview, a bottle is a separate, discrete container and would not rely on the frame cover to provide a side. Nowhere in Sato is a waste container with at least one side formed by the frame cover disclosed. Therefore, Applicants respectfully submit that amended Claim 1 patentably distinguishes over Sato for at least the reasons discussed above.

Regarding the rejection of Claims 6, 7, 16, 17, 19, and 20 as anticipated by Sameshima, that rejection is traversed by the present response.

Amended Claim 6 recites, in part, “a toner container, detachably attached to a frame cover of an image forming apparatus.”

¹ See Sato paragraph 0002 and paragraph 0003 and Figure 4.

In contrast, Sameshima does not disclose a toner container attached to the cover of an image forming apparatus.

As discussed in the personal interview, Sameshima describes a toner container (16) integrally formed with a photosensitive drum unit (20).² Neither the toner container nor the drum are attached to the cover. Therefore, Applicants respectfully submit that Claim 6 and all claims depending directly or indirectly from amended Claim 6 patentably distinguish over Sameshima. Accordingly, Applicants respectfully request withdrawal of the rejection.

Regarding the rejection of Claim 4 as obvious over Sato in view of Iizuka, that rejection is respectfully traversed.

First, Claim 4 depends on amended independent Claim 1, and thus is allowable for similar reasons as discussed above with respect to independent Claim 1. Further, the outstanding Office Action relies on Iizuka for the feature of a toner container with such a structure that the toner in the toner container is visible from the outside of the toner container. However, Iizuka does not remedy the above-discussed deficiencies in Sato. Rather, Iizuka describes a form of a scale in which a waste toner container moves vertically inside a window according to the amount of toner contained inside the container. The waste toner container in Iizuka is completely separate from the frame cover and moves independently of the frame cover. Thus, Claim 4 further defines over Sato and Iizuka.

Regarding the rejection of Claim 5 as obvious over Sato in view of Kimura, Applicants respectfully submit that the amendments set forth herein overcome the rejection.

Amended Claim 5 recites, in part, “cleaning unit wherein the toner container is integrally formed with the frame cover, such that the frame cover comprises at least one side of the toner container.”

² See Sameshima Figures 3 and 7.

As discussed above, Sato does not disclose a toner container with the frame cover comprising at least one side. Rather, the container described in Sato is separate and detachable from the frame cover. Nor does Kimura remedy the above discussed deficiency. The waste toner container (31) described in Kimura is not in any way connected to a cover. Instead, the waste toner container (31) rests on the floor of the image forming apparatus.³ Accordingly, as neither Sato nor Kimura, alone or in combination, disclose every element of amended Claim 5, Applicants respectfully request withdrawal of the rejection.

Regarding the rejection of Claims 8-11 and 14 under 35 U.S.C. § 103(a) as obvious over Sameshima in view of Honobe, that rejection is traversed by the present response.

As discussed above Sameshima does not disclose that the container is on a frame cover as recited in amended independent Claim 6. Honobe does not remedy this deficiency in Sameshima. As neither Sameshima nor Honobe disclose every feature of amended Claim 6 from which Claims 8-11 and 14 depend either directly or indirectly, Applicants respectfully submit that the rejection is overcome.

Regarding the rejection of Claims 6-13, 15-17, 19 and 20 as obvious over Okawa, Shimotoso, and Sameshima, that rejection is respectfully traversed by the present response.

As explained in the discussion of the rejection of Claim 6, Sameshima does not disclose a waste toner container located on the frame cover. Neither Okawa nor Shimotoso remedy this deficiency in Sameshima. Therefore, for at least the same reasons as discussed regarding the rejection of Claim 6 above, Applicants respectfully submit that Claim 6 and Claims 7-13, 15-17, 19 and 20 patentably distinguish over the cited references for at least the same reasons as amended Claim 6. Therefore, Applicants respectfully request withdrawal of the rejection.

³ See Kimura Figure 2.

Consequently, in light of the above discussion and in view of the present amendments, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 17. This sheet, which includes Fig. 17, replaces the original sheet including Fig. 17.

Attachment: Replacement Sheet